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By: 
Aaron Hokamura

03 APR 2006
PATENT
Attorney Do  No.: 082368-004100US
Client Reference No.: ONC-A0219P-US #7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NAKAMURA and FURUKAWA

Application No.: 10/533,026

Filed: September 19, 2003

For: METHOD FOR DIAGNOSING
DIFFUSE-TYPE GASTRIC CANCERS

Examiner:

Art Unit:

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
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Sir:


The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references AD-AM are enclosed. Copies of U.S. Patent Application Publications AA-AC are not enclosed in compliance with the requirements of 37 CFR §1.98(a)(2). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

References AA-AG were cited in an International Search Report issued in a corresponding application. A copy of the Search Report is enclosed.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Kevin Bastian
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60738316 v1

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|---|---|---------------------------|--------------------|------------------------|-----------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | Complete if Known | | | |
| | | Application Number | 10/533,026 | | |
| | | International Filing Date | September 19, 2003 | | |
| | | First Named Inventor | Nakamura, Yusuke | | |
| | | Art Unit | | | |
| | | Examiner Name | | | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 082368-004100US |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number Kind Code ² (if known) | | | |
| | AA | 2002/0055627 A1 | 05-09-2002 | Rosen et al. | |
| | AB | 2002/0102617 A1 | 08-01-2002 | MacBeath et al. | |
| | AC | 2002/0151696 A1 | 10-17-2002 | Bandaru | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | AD | WO | 98/41864 | A1 | 09-24-1998 | Logus Genex OY | | <input type="checkbox"/> |
| | AE | WO | 99/29168 | A1 | 06-17-1999 | Lutteman, Anders | | <input type="checkbox"/> |
| | AF | WO | 02/078524 | A2/A3 | 10-10-2002 | Zycos Inc. | | <input type="checkbox"/> |
| | AG | WO | 02/078614 | A2/A3 | 10/10/2002 | University of South Florida | | <input type="checkbox"/> |
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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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|--|---|----|---|---------------------------|--------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/533,026 |
| | | | | International Filing Date | September 19, 2003 |
| | | | | First Named Inventor | Nakamura, Yusuke |
| | | | | Art Unit | |
| | | | | Examiner Name | |
| Sheet | 2 | of | 2 | Attorney Docket Number | 082368-004100US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|--------------------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | AH | ABE, Hiroki <i>et al.</i> ; "Cloning and sequence analysis of a full length cDNA encoding human mitochondrial 3-oxoacyl-CoA thiolase"; <u>Biochimica et Biophysica Acta</u> 1216(2):304-306 (1993) | <input type="checkbox"/> |
| | AI | AFFYMETRIX; "Product Catalog"; pg.1 (July 2002) | <input type="checkbox"/> |
| | AJ | HASEGAWA, Suguru <i>et al.</i> ; "Genome-wide analysis of gene expression in intestinal-type gastric cancers using a complementary DNA microarray representing 23,040 genes"; <u>Cancer Research</u> :61:7012-7017 (December 1, 2002) | <input type="checkbox"/> |
| | AK | HIPPO, Yoshitaka <i>et al.</i> ; "Global gene expression analysis of gastric cancer by oligonucleotide microarrays" <u>Cancer Research</u> 62:233-240 (January 1, 2002) | <input type="checkbox"/> |
| | AL | KITAHARA, Osamu <i>et al.</i> ; "Alterations of gene expression during colorectal carcinogenesis revealed by cDNA microarrays after laser-capture microdissection of tumor tissues and normal epithelia"; <u>Cancer Research</u> 61:3544-3549 (May 1, 2001) | <input type="checkbox"/> |
| | AM | MORI, Masaki <i>et al.</i> ; "Analysis of the gene-expression profile regarding the progression of human gastric carcinoma"; <u>Surgery</u> 131:S39-S47 (2002) | <input type="checkbox"/> |
| | | | |

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.